

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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US BANK, NATIONAL ASSOCIATION,

Plaintiff,

v.

COMMONWEALTH LAND TITLE INSURANCE
COMPANY,

Defendant.

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COMMONWEALTH LAND TITLE INSURANCE
COMPANY,

Third-Party Plaintiff,

v.

ANM FUNDING LLC, ABE KLEIN, NOAH
HERSKOVITZ, LEAH HERSKOVITZ, TSVINY
HERSKOVITZ, LOWENTHAL & KOFMAN, P.C.,
MARTIN KOFMAN, NORMAN TEPFER, SAMUEL
GLUCKMAN and ROLAND FIELDS,

Third-Party Defendants.
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**NOTICE OF MOTION TO
REARGUE PURSUANT
TO LOCAL CIVIL RULE
6.3 OF THE SOUTHERN
DISTRICT OF NEW
YORK**

Case No.: 13-civ-7626 (NRB)

Hon. Naomi Reice Buchwald

PLEASE TAKE NOTICE that upon the annexed memorandum of law dated April 9, 2015 and the exhibits thereto, and the prior pleadings and proceedings had herein, the undersigned counsel for defendant and third-party plaintiff Commonwealth Land Title Insurance Company ("Commonwealth"), will move this Court before Honorable Naomi Reice Buchwald at the United States District Court, Southern District of New York, at the Daniel Patrick Moynihan United States Court House, 500 Pearl Street, Courtroom 21A, New York, New York 10007, for an entry of an order as follows:

(a) Granting Commonwealth's motion pursuant to Local Civil Rule 6.3 of the Southern District of New York to reargue this Court's memorandum and order dated March 23, 2015 dismissing Commonwealth's claims for indemnification and contribution as against third-party defendants Lowenthal & Kofman, P.C., Martin Kofman and Norman Tepfer;

(b) Upon reargument reinstating the third-party claims; and

(c) Granting Commonwealth such other and further relief this Court deems just and proper.

Dated: New York, New York
April 9, 2015

BUTLER, FITZGERALD, FIVESON
& McCARTHY
A Professional Corporation
Attorneys for Defendant and Third-Party Plaintiff
Commonwealth Land Title Insurance Company

By: 

David K. Fiveson

A Principal of the Firm
Nine East 45th Street, Ninth Floor
New York, New York 10017
(212) 615-2200
dfiveson@bffmlaw.com

TO: DUANE MORRIS LLP
Attn: Evangelos Michailidis, Esq.
Attorneys for Plaintiff
1540 Broadway
New York, New York 10036-4086
(212) 692-1000

CAPSTONE LAW, LLC
Attn: Robert J. Shainess, Esq.
Attorneys for Plaintiff
Canadian Pacific Plaza
120 South Sixth Street, Suite 1720
Minneapolis, Minnesota 55402
(612) 548-1604

ABE KLEIN
Pro Se Third-Party Defendant
1677 42nd Street
Brooklyn, New York 11204
(718) 437-4462

LEOPOLD GROSS
Attn: Leopold Gross, Esq.
26 Court Street, Suite 1200
Brooklyn, New York 11242
(718) 753-1777

THE ROSENFELD LAW OFFICE
Attn: Avinoam Yackov Rosenfeld, Esq.
Attorneys for Third-Party Defendants Noah Herskovitz,
Leah Herskovitz, and Tsviny Herskovitz
1216 48th Street
Brooklyn, New York 11219
(516) 547-1717

WILSON, ELSER, MOSKOWITZ, EDELMAN
& DICKER, LLP
Attn: Jeffrey C. Cunningham, Esq.
Attorneys for Third-Party Defendants
Lowenthal & Kofman, P.C., Martin Kofman,
and Norman Tepfer
150 East 42nd Street
New York, New York 10017
(212) 490-3000